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DR LUDWIG BRANN PAT AB

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

) Art Unit: 1637

ULF LANDEGRENN et al

) Examiner: S. CHUNDURU

Appln. No.: 09/785,657

) Confirmation No.: 5356

Date Filed: February 20, 2001

) Washington, D.C.

For: METHODS AND KITS FOR  
PROXIMITY PROBING

) ATTY.'S DOCKET: LANDEGRENN=1A

)

**DECLARATION UNDER 37 CFR 1.132**

ULF LANDEGRENN and Simon FREDRIKSSON hereby solemnly declare as follows:

The United States Patent and Trademark Office has rejected claims 2-5, 7, 19, 20 and 22-25 under 35 U.S.C. 102 (e) as anticipated by certain disclosure appearing in Landegren U.S. patent 6,558,928.

To the extent that the Landegren U.S. patent 6,558,928 and corresponding WO 99/49079 disclose any subject matter claimed in the present U.S. application No. 09/785,657, such subject matter disclosed in U.S. patent 6,558,928 and corresponding WO 99/49079 and claimed in the above-identified U.S. application 09/785,657 is the joint invention of Ulf Landegren and Simon Fredriksson, or the sole invention of Simon Fredriksson.

As regards claims 2-5, 7, 19, 20 and 22-25 of the above-identified U.S. application 09/785,657, these claims are the joint invention of Ulf Landegren and Simon Fredriksson.

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In re Appln. No. 09/784,657

Thus, the relevant disclosure in Landegren U.S. patent 6,558,928 and WO 99/19079 is applicants' (Landegren's and Fredriksson's) own work.

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon..

By Ulf Landegren

Ulf LANDEGREN

Date: January 7, 2004

By Simon Fredriksson

Simon FREDRIKSSON

Date: December 29, 2003